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17 IN RE: FACEBOOK, INC. CONSUMER PRIVACY USER PROFILE LITIGATION,

18 This document relates to:

19 ALL ACTIONS

20 CASE NO. 3:18-MD-02843-VC

21 **DECLARATION OF DEBORAH STEIN IN
22 SUPPORT OF FACEBOOK, INC.'S
23 STATEMENT IN SUPPORT OF
24 PLAINTIFFS' ADMINISTRATIVE
25 MOTION TO CONSIDER WHETHER
26 ANOTHER PARTY'S MATERIALS
27 SHOULD BE SEALED**

1 I, Deborah Stein, hereby declare as follows:

2 1. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
 3 Facebook, Inc. ("Facebook") in the above-captioned matter. I am a member in good standing of the
 4 State Bars of California and New York. I submit this declaration in support of Facebook's Statement
 5 in Support of Plaintiffs' Administrative Motion to Consider Whether Another Party's Materials Should
 6 Be Sealed. I make this declaration on my own knowledge, and I would testify to the matters stated
 7 herein under oath if called upon to do so.

8 2. Attached as **Exhibits 5-A, 31-A, 95-A, 98-A, 103-A, 105-A, 106-A, and 116-B** are a
 9 true and correct **unredacted** copy of Plaintiffs' Exhibits 5, 31, 95, 98, 103, 105, 106, and 116.

10 3. Attached as **Exhibits 5-B, 31-B, 95-B, 98-B, 103-B, 105-B, 106-B, and 116-B** are a
 11 true and correct **redacted** copy of Plaintiffs' Exhibits 5, 31, 95, 98, 103, 105, 106, and 116

12 4. Facebook proposes redacting confidential information regarding its data systems and
 13 Facebook's proprietary data storage and processing practices.¹ How Facebook stores, manages, tracks,
 14 preserves, deletes, and processes data for billions of users across its data systems are key components
 15 of its business that set it apart and ahead of its competitors. I understand that, if publicly disclosed,
 16 Facebook's competitors could take advantage of this information to improve their own methods for
 17 managing high volumes of user data or for tracking and storing user data across data systems, to Face-
 18 book's competitive disadvantage. Hackers and other bad actors also could use this information to better
 19 understand Facebook's data systems and target specific repositories of data, potentially harming both
 20 Facebook and its users.

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¹ Exs. 31, 95, 98, 103.

1 5. Facebook proposes redacting confidential information regarding its tool for responding
 2 to law-enforcement requests for user records, including the name of the tool, the types of data it con-
 3 tains, the delta between the data within the tool and DYI, and the format in which data from the tool is
 4 produced.² I understand that public disclosure of details about this tool would reveal confidential in-
 5 formation regarding Facebook's internal operations that could be used by bad actors to attempt to cir-
 6 cumvent and evade Facebook's enforcement strategies and current and future lawful governmental
 7 criminal investigations. I further understand that public disclosure of Facebook's internal processes
 8 related to the tool could provide confidential information to competitors about how Facebook tracks
 9 and stores data across its systems, to Facebook's competitive disadvantage.

10 6. Facebook proposes redacting confidential and competitively sensitive information re-
 11 garding its business programs, strategies, decisions, and partners, including confidential technical de-
 12 tails of how Facebook develops and uses data to target advertisements to the most relevant users.³ This
 13 information also includes confidential strategic discussions regarding Facebook's existing and poten-
 14 tial future business models and strategies, as well as confidential information regarding the identities
 15 of and negotiations with entities with which I understand Facebook has a business relationship. I am
 16 informed and believe that, if publicly disclosed, this information could harm Facebook's relationships
 17 with these entities and undercut Facebook's ability to negotiate with competitors of these entities. I
 18 am further informed and believe that public disclosure of confidential information regarding Face-
 19 book's business models could allow Facebook's competitors to use this information developed at Fa-
 20 cebook's expense to improve or develop their own competing techniques, to Facebook's competitive
 21 disadvantage. Additionally, I am informed and believe that public disclosure of confidential infor-
 22 mation regarding Facebook's business strategies could allow Facebook's competitors to copy these

27 2 Exs. 31, 95.

28 3 Exs. 5, 31, 98, 105, 106, 116.

1 strategies, developed at Facebook's expense, to more effectively compete with Facebook. Finally, Fa-
2 cebook's ability to serve advertisements to its users effectively is an essential aspect of its business and
3 I am informed and believe that, if publicly disclosed, this information could allow Facebook's compet-
4 itors to improve their serve of advertisements to Facebook's competitive disadvantage.
5

6 7. Facebook also asks the Court to permanently seal certain confidential information re-
7 garding Facebook employees, including the names of certain employees, email addresses, and per-
8 formance evaluations.⁴ If these names were disclosed publicly, competitors would have access to confi-
9 dential information regarding Facebook's employees.

10 8. Facebook proposes to seal confidential information regarding Facebook's privacy and
11 platform policy enforcement practices, including Facebook's decision-making process for evaluating
12 apps and developers that may be violating its policies.⁵ I understand that public disclosure of details
13 regarding Facebook's policy-enforcement efforts would reveal confidential information regarding Fa-
14 cebook's internal operations that could be used by bad actors to attempt to circumvent and evade Fa-
15 cebook's enforcement strategies, potentially harming Facebook and its users.
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17
18 I declare under penalty of perjury under the laws of the United States of America that the fore-
19 going is true and correct.
20

21 Executed on August 31, 2022 in Los Angeles, California.
22

23 */s/ Deborah Stein*
24 Deborah Stein
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27 ⁴ Ex. 98.
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⁵ Exs. 5, 31, 95.